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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,428	05/31/2002	Branimir Jakovljevic	02-097	3623

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EXAMINER

NGO, HUNG V

ART UNIT PAPER NUMBER

2831

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/069,428

Applicant(s)

JAKOVLEJVIC, BRANIMIR

Examiner

Hung V. Ngo

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,6-17 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-10,13-17 and 19 is/are rejected.
- 7) ☒ Claim(s) 11 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 13, 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Kehr et al (US 3,653,959).

Kehr et al disclose a transformer (col. 8, line 60), a translucent skin surrounding the transformer, the skin includes a translucent shell or cover (transparent container) and a translucent layer (transparent curable liquid composition)(col. 10, lines 55-60), wherein the translucent layer displaces air and fills a clearance between the shell and the transformer (col. 10, line 55-60), and wherein the heat generated by the transformer is transmitted outwardly beyond the skin (col. 8, lines 60-63), first and second outputs (lead wire)(col. 10, lines 56) (re claims 1, 13)

Re claim 2, the skin is transparent (col. 10, line 55).

Re claim 3, the bobbin is inherent in a transformer.

Re claim 14, see col. 10, line 65.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

Art Unit: 2831

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-10, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kehr et al in view of applicant's admitted prior art.

The teaching as discussed above does not disclose outwardly extending protrusions (re claim 7), a plurality of pins (re claim 8), the transformer being part of a power supply circuitry (re claim 9)

Applicant's admitted prior art disclose outwardly extending protrusions or pins (legs)(page 1, line 17), the transformer being part of power supply circuitry (page 1, line, 15).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include protrusions or pins with the casing of Kehr et al for the purpose of mounting the transformer to a circuit board.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the transformer of Kehr et al in a power supply circuitry for intended purpose.

Claims 6, 15-17, 19, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kehr et al

The teaching of Kehr et al as discussed above does not disclose the shell comprises first and second body halves fitted together to form the shell, the shell having a shape substantially the same as the general shape of the transformer,

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the shape of the shell of Kehr et al for intended purpose

Art Unit: 2831

since more than a mere change of form is necessary for patentability. In re Span-Deck Inc. v. Fab-Con, Inc. (CA 8, 1982) 215 USPQ 835.

Response to Arguments

Applicant's arguments with respect to claims 1-3, 6-10, 13-17, 19 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

Claims, 11, 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung V. Ngo whose telephone number is (571) 272-1979. The examiner can normally be reached on Monday to Thursday 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean A. Reichard can be reached on (571) 272-2800 EXT 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2831

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HVN
09-15-05

Hung V Ngo

**HUNG V. NGO
PRIMARY EXAMINER**